

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 720

Introduced by Crosby, 29

Read first time January 20, 1999

Committee:

A BILL

- 1 FOR AN ACT relating to interior designers; to adopt the Interior
- 2 Designer Certification Act; and to provide an operative
- 3 date.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 15 of this act shall be known
2 and may be cited as the Interior Designer Certification Act.

3 Sec. 2. In order to safeguard life, health, and property
4 and to promote the public welfare, the profession of interior
5 designer is declared to be subject to regulation in the public
6 interest. It is unlawful for any person to use in connection with
7 his or her name or otherwise assume the title certified interior
8 designer unless he or she is certified under the Interior Designer
9 Certification Act. The use of the title certified interior
10 designer is a privilege granted by the state through the board
11 based on the rules and regulations of the board and the
12 qualifications of the individual as evidenced by a certificate
13 which is not transferable.

14 Sec. 3. For purposes of the Interior Designer
15 Certification Act, the definitions found in sections 4 to 7 of this
16 act shall be used.

17 Sec. 4. Board means the Board of Certified Interior
18 Design Professionals.

19 Sec. 5. Certification means a certificate and a
20 certification number issued by the board.

21 Sec. 6. Certified interior designer means an interior
22 designer who meets the criteria of education, experience, and
23 examination in the rendering of interior design services
24 established by the board through certification as an interior
25 designer.

26 Sec. 7. Interior designer means an individual who
27 administers contracts for fabrication, procurement, or installation
28 in the implementation of space planning, designs, drawings, and

1 specifications for any interior design project and offers or
2 furnishes professional services, such as consultation, studies,
3 drawings, specifications in connection with the location of
4 lighting fixtures, specifications of ceiling finishes as reflected
5 in ceiling plans, finish and specifications, furnishing, and
6 interior construction which does not materially affect the building
7 mechanical, structural, or electrical systems.

8 Sec. 8. Architects may be certified as certified
9 interior designers. Architects certified as certified interior
10 designers shall not be required to meet the examination
11 requirements of sections 10 and 11 of this act. An architect shall
12 not refer to himself or herself as a certified interior designer
13 unless he or she is certified under the Interior Designer
14 Certification Act.

15 Sec. 9. (1) The Board of Certified Interior Design
16 Professionals is created. The board shall consist of the Secretary
17 of State and six members appointed by the Governor. The appointed
18 members shall consist of one interior designer specializing in
19 commercial design, one interior designer specializing in
20 residential design, one interior designer specializing in kitchen
21 and bath design, one interior designer specializing in home
22 furnishing retail, one architect, and one member of the public.
23 The Secretary of State, or his or her designee, shall serve on the
24 board in an ex officio capacity. Within one year after appointment
25 to the board, three of the initial interior designer members shall
26 become certified under the Interior Designer Certification Act.
27 Thereafter, three interior designer members of the board shall be
28 certified interior designers.

1 (2) The term of office of each appointed member shall be
2 four years, except that of the initial members, three shall be
3 appointed for terms of two years. Before a member's term expires,
4 the Governor shall appoint a successor to take office on the
5 expiration of the member's term. A member shall continue to serve
6 after the expiration of his or her term until a successor is
7 appointed and qualified. A vacancy in the office of a member shall
8 be filled by appointment for the unexpired term.

9 (3) The members of the board shall be reimbursed for
10 their actual and necessary expenses as provided in sections 81-1174
11 to 81-1177.

12 (4) The board may employ such persons as may be necessary
13 to carry out the act, fix the salaries of such employees, and make
14 such other expenditures as are necessary to properly carry out the
15 act. All remuneration, expenses, salaries, and expenditures shall
16 be paid out of the Interior Designer Certification Fund.

17 (5) The Secretary of State shall keep a record of all the
18 proceedings, transactions, communications, and official acts
19 performed pursuant to the act and perform such other duties as may
20 be necessary to carry out the intent and purpose of the act.

21 Sec. 10. The board shall (1) adopt and promulgate rules
22 and regulations to administer the Interior Designer Certification
23 Act, (2) enforce the act and rules and regulations, including
24 enforcement against any person who misrepresents himself or herself
25 as being certified, (3) establish educational requirements for
26 certification as a certified interior designer, (4) establish
27 examination requirements for certification as a certified interior
28 designer, (5) establish experience requirements for certification

1 as a certified interior designer, (6) establish a code of ethics
2 for certified interior designers, (7) establish fees for initial
3 certification as a certified interior designer, not to exceed one
4 hundred dollars, and (8) establish annual renewal fees for a
5 certified interior designer, not to exceed sixty-five dollars. Any
6 person with six years of documented full-time experience in the
7 field of interior design who desires to be a certified interior
8 designer but who does not have the interior design education and
9 examination required by the board may apply to the board for
10 certification until January 1, 2003.

11 Sec. 11. Certification shall be granted by the board
12 upon successful completion of educational, examination, and
13 experience requirements as determined by each design profession's
14 requirements. Applicants for certification shall provide proof of
15 completion of his or her requirements to the board for
16 verification.

17 Sec. 12. A code of ethics shall be established by the
18 board through rules and regulations, by which the members of the
19 interior design profession shall govern their professional conduct.
20 The code of ethics shall be beneficial to the state and shall
21 safeguard the life, health, and property of the citizens of this
22 state.

23 Sec. 13. An individual shall not engage in the use of
24 the title certified interior designer unless he or she is certified
25 under the Interior Designer Certification Act.

26 Sec. 14. The Interior Designer Certification Act shall
27 not be construed to require use of a certified interior designer in
28 residential design or in the furtherance of a retail sale.

1 Sec. 15. The Interior Designer Certification Fund is
2 created. The Secretary of State shall receive and account for all
3 money derived from the operation of the Interior Designer
4 Certification Act through fees and shall remit the money to the
5 State Treasurer for credit to the fund. At no time shall the total
6 amount of warrants for expenses of the board exceed the total
7 amount of the fees collected under the act and to the credit of the
8 fund. Any money in the fund available for investment shall be
9 invested by the state investment officer pursuant to the Nebraska
10 Capital Expansion Act and the Nebraska State Funds Investment Act.
11 Sec. 16. This act becomes operative on January 1, 2000.